IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)								
	I	Plaintiff,) 8:06MJ56)					
	vs.) DETENTION ORDER					
LU	IS GALVAN,							
	1	Defendant.	,					
A.	. Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on May 15, 2006, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).							
B.	The Court orders X By a pre conditions X By clear as	s will reasonably assure the nd convincing evidence that						
C.	Services Report, X (1) Natur X L X (b)	ngs are based on the evident and includes the following and circumstances of the (a) The crime: a consplict to distribute in excession of 21 U.S.C years imprisonmen The offense is a crime of the offense involves a result in the circumstance of th	be offense charged: biracy to distribute and possess with intent ess of 500 grams of methamphetamine in C. § 846 carries a minimum sentence of tent and a maximum of life imprisonment. If violence - See 18 U.S.C. §3156(a)(4)(B).					
	<u>X</u> (3) The h	istory and characteristics General Factors: The defendant may affect whet The defendant I May a	nas a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. has a prior record of failure to appear at					

DETENTION ORDER - Page 2

				Par	ole
					ease pending trial, sentence, appeal or completion of
				sen	tence.
		(c)			
			X		e defendant is an illegal alien and is subject to
					ortation.
					e defendant is a legal alien and will be subject to
			X	The	ortation if convicted. Bureau of Immigration and Custom Enforcement CE) has placed a detainer with the U.S. Marshal. er:
	(4)	-			
X	(4)				seriousness of the danger posed by the defendant's ows: The nature of the charges in the Complaint.
Χ	(5)	Rebu	ttable P	Presu	mptions
	(0)				the defendant should be detained, the Court also relied
					rebuttable presumption(s) contained in 18 U.S.C. §
		3142((e) which	n the	Court finds the defendant has not rebutted:
	<u>X</u>	(a)			ondition or combination of conditions will reasonably
					ppearance of the defendant as required and the safety
			of any		person and the community because the Court finds that
			trie Crii		A crime of violence; or
			X		An offense for which the maximum penalty is life
				(2)	imprisonment or death; or
			X	(3)	A controlled substance violation which has a maximum
				()	penalty of 10 years or more; or
				(4)	A felony after the defendant had been convicted of two
					or more prior offenses described in (1) through (3)
					above, and the defendant has a prior conviction for
					one of the crimes mentioned in (1) through (3) above
					which is less than five years old and which was
	X	(h)	That r	10 CC	committed while the defendant was on pretrial release. Indition or combination of conditions will reasonably
		(b)	assure	the a	appearance of the defendant as required and the safety
					nunity because the Court finds that there is probable
			cause		
			X	(1)	That the defendant has committed a controlled
					substance violation which has a maximum penalty of
				(=)	10 years or more.
				(2)	That the defendant has committed an offense under 18
					U.S.C. § 924(c) (uses or carries a firearm during and
					in relation to any crime of violence, including a crime of
					violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous
					weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

DETENTION ORDER - Page 3

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 16, 2006.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge